



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,585	05/16/2001	Phyllis Leithem	177079-00058	1886

31013 7590 04/07/2009
KRAMER LEVIN NAFTALIS & FRANKEL LLP
INTELLECTUAL PROPERTY DEPARTMENT
1177 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

ZALUKAEVA, TATYANA

ART UNIT	PAPER NUMBER
----------	--------------

3761

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

04/07/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

klpatent@kramerlevin.com

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09863585	5/16/01	LEITHEM ET AL.	177079-00058

KRAMER LEVIN NAFTALIS & FRANKEL LLP
INTELLECTUAL PROPERTY DEPARTMENT
1177 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

TATYANA ZALUKAEVA

ART UNIT	PAPER
3761	20090401

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

LETTER RESCINDING NOTICE OF ABANDONMENT

A Notice of abandonment, Form PTO_1432 was mailed on March 2, 2009 in Patent Application Serial Number 09/863,585. The Notice of Abandonment alleged that abandonment is per decision by the Board of Patent Appeals and Interference rendered on 08 September 2008 and because the period for seeking court review of the decision has expired and there are no allowed claims. Subsequently it was discovered that the Abandonment notice sent on March 2, 2009 was in error, since the request for rehearing was filed on November 6, 2008.

Therefore, the Notice of Abandonment is RESCINDED.

Any inconvenience occasioned by the delay is regretted.

/Tatyana Zalukaeva/
Supervisory Patent Examiner, Art Unit 3761

Tatyana Zalukaeva
SPE
Art Unit: 3761